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09/360,719	07/27/1999	PAUL C. ROGERS	3548/010	4567

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EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2645

97

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/360,719

Applicant(s)

ROGERS ET AL.

Examiner

Olisa Anwah

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 September 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-309 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,17-24,27-30,36,139-158,270-273 and 283-286 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Continuation of Disposition of Claims: Claims withdrawn from consideration are 2,3,8-16,25,26,31-35,37-138,159-269,274-282 and 287-309.

Art Unit: 2645

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 4-7 and 17-22 are rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson et al, U.S. Patent No. 5,533,102 (hereinafter Robinson) in view of Greco et al, U.S. Patent No. 5,568,540 (hereinafter Greco).

Regarding claim 1, Robinson discloses a call management system (10) comprising:

(a) at least one user position, comprising a computer workstation (14, Figures 1 and 4) and associated telephone apparatus (12, Figures 1 and 4);

(b) a call management computer (38+26, Figures 1 and 4);

(c) a digital data network connecting the workstation of said at least one user position with said call management computer (Figure 4);

Art Unit: 2645

(d) said call management computer including means for intercepting an incoming call to said at least one user position (col. 7, lines 24-30);

(e) means for determining that an intercepted call is for said at least one user position (col. 7, lines 24-30);

(f) means for interacting with the workstation of said at least one user position to determine how the intercepted call is to be processed (col. 7, lines 30-34 and line 65 to col. 8, line 67);

(g) and means for processing the call according to instructions received from the workstation of the user (columns 6-9 and Figures 3-8);

wherein said call management computer includes means for identifying the calling party (col. 8, line 52).

With respect to claim 1, Robinson does not disclose said call management computer includes means for identifying a call type for the incoming call. However Greco teaches this limitation (see Figure 2). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robinson with the identifying means taught by Greco. This modification would allow a called party to determine

Art Unit: 2645

whether a message is an email message, a voice message or a fax message as suggested by Greco (see col. 4, lines 55-65).

Regarding claims 4-7, 17 and 18 see Figure 2 and col. 4, lines 55-65 of Greco.

Regarding claim 19, see column 4 of Greco.

Regarding claims 20 and 21, see Figure 2 and column 4 of Greco.

Regarding claim 22, see column 4 of Greco.

3. Claims 23 and 29 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco in further view of Underwood et al, U.S. Patent No. 5,805,673 (hereinafter Underwood).

Regarding claim 23, Robinson combined with Greco does not disclose the limitation of, "means for identifying the fax calls by detecting CNG signals". Underwood discloses this limitation (see abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Robinson combined with Greco with a means for identifying the fax calls by detecting CNG signals as taught by Underwood. This modification allows the system to differentiate

Art Unit: 2645

between fax sending and fax receiving calls as suggested by Underwood (column 3).

Claim 29 is rejected for the same reasons as claim 23.

4. Claim 24 and 30 are rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco in further view of Klingman, U.S. Patent No. 5,721,729 (hereinafter Klingman).

Regarding claim 24, Robinson combined with Greco does not disclose means for identifying said fax calls by detecting ISDN messages. However, Klingman discloses a means for identifying said fax calls by detecting ISDN messages (col. 10, lines 25-35). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Robinson combined with Greco with a means for identifying fax calls by detecting ISDN messages as taught by Klingman. This modification provides a universal call processing system that can detect and process all information types transmitted through a telephone line via an ISDN network.

Claim 30 is rejected for the same reasons as claim 24.

5. Claims 27 and 28 are rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco in further

Art Unit: 2645

view of Godbole, U.S. Patent No. 5,065,427 (hereinafter Godbole).

Regarding claim 27, Robinson combined with Greco does not disclose means for identifying said data calls by detecting DTMF signals. However, Godbole disclose a means for identifying said data calls by detecting DTMF signals (col. 2, lines 55-65). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robinson combined with Greco to includes a means for identifying said data calls by detecting DTMF signals as taught by Godbole. This modification allows the system to detect calls from data modems that do not transmit a calling tone as suggested by Godbole.

Claim 28 is rejected for the same reasons as claim 27.

6. Claim 36 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco in further view of Monnot et al, U.S. Patent No. 5,432,618 (hereinafter Monnot).

Regarding claim 36, Robinson combined with Greco does not disclose the limitation of, "a system wherein an identifying message is returned to the calling fax machine which confirms the identity of the called party". Monot discloses this limitation (see abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention



Art Unit: 2645

was made to further modify Robinson combined with Greco to include a system wherein an identifying message is returned to the calling fax machine which confirms the identity of the called party as taught by Monot. This modification allows for the certification of fax transmissions.

7. Claims 139-144, 146, 156, 158, 270-273, 283-286 are rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco in further view of Brown et al, U.S. Patent No. 5,533,105 (hereinafter Brown).

Regarding claim 139, Robinson combined with Greco does not disclose one or more processing rules wherein the type of call determines at least in part how calls of each type are processed. Brown discloses one or more processing rules wherein the type of call determines at least in part how calls of each type are processed (col. 7, lines 20-55). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robinson with one or more processing rules wherein the type of call determines at least in part how calls of each type are processed as taught by Brown. This modification allows for voice calls to be treated different from fax and data calls.

Art Unit: 2645

Regarding claims 140-144, 146, 270-273, 283-286 see Brown, col. 7, lines 20-55.

Regarding claims 156 and 158, see Brown, col. 7, lines 20-55.

8. Claims 145 and 147-155 are rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco in view of Brown in further view of Miner, U.S. Patent No. 5,652,789 (hereinafter Miner).

Regarding claim 145, Robinson combined with Greco in view of Brown does not disclose the limitation of "wherein the current status of the called user includes whether or not he or she is accepting only priority calls". However Miner discloses this limitation (col. 32, line 55 - col. 34, line 35). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robinson combined Greco and Brown to include a system wherein the current status of the called user includes whether or not he or she is accepting only priority calls as taught by Miner. This modification would allow a user to answer only important calls as suggested by Miner.

Regarding claim 155, Robinson combined with Greco and Brown does not disclose the limitation of "wherein the processing rule

Art Unit: 2645

specifies at least in part that the user be paged upon receipt of certain calls". However Miner discloses this limitation (col. 33, line 5). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robinson combined with Greco and Brown to include a system wherein the processing rule specifies at least in part that the user be paged upon receipt of certain calls as taught by Miner. This modification allows a user to be notified of an incoming call.

Regarding claim 147, Robinson combined with Greco and Brown does not disclose a system wherein which of the processing rules is applicable is determined at least in part by the current date, day of the week and or time of day. Miner discloses a system wherein which of the processing rules is applicable is determined at least in part by the current date, day of the week and or time of day (col. 35, lines 25-35). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Robinson combined with Greco and Brown to include a system wherein which of the processing rules is applicable is determined at least in part by the current data, day of the week and or time of day as taught by Miner. This modification allows for calls to be processed based on a user's schedule as suggested by Miner.

Art Unit: 2645

Regarding claim 148, Robinson combined with Greco and Brown does not disclose the limitation of, "a system wherein said processing rules include instructions for routing calls from at least one caller to a destination other than the user position". Miner discloses this limitation (col. 35, lines 25-35).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Robinson combined with Greco and Brown with a system wherein the processing rules include instructions for routing calls from at least one caller to a destination other than the user position as taught by Miner. This modification would allow for calls to be processed based on a user's schedule as suggested by Miner.

Regarding claim 149, see Figure 5 and col. 35, lines 25-35.

Regarding claim 150, see col. 35, lines 25-35.

Regarding claim 151, Robinson combined with Greco, Brown and Miner discloses instructions for routing calls from at least one caller to a destination other than the user position. Robinson combined with Brown and Miner does not disclose the other destination is a destination on the Internet. "Official Notice" is taken that routing calls to destinations on the Internet is both old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Robinson

Art Unit: 2645

combined with Greco, Brown and Miner to include a system wherein the other destination is a destination on the Internet. This modification allows for calls to be routed to Internet communication devices.

Regarding claim 152, Robinson combined with Greco and Brown does not disclose the call processing rule specifies at least in part that the call be transferred to the called user at a location other than the normal user position. Miner discloses a call processing rule specifies at least in part that the call is to be transferred to the called user at a location other than the normal user position (col. 35, lines 25-35). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robinson combined with Greco and Brown to include a system wherein the call processing rule specifies at least in part that the call be transferred to the called user at a location other than the normal user position as taught by Miner. This modification allows for calls to be processed based on a user's schedule as suggested by Miner.

Regarding claims 153 and 154, see Miner, col. 35, lines 25-35.

Art Unit: 2645

9. Claims 157 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Greco and Brown in view of Kondo, U.S. Patent No. 5,490,205 (hereinafter Kondo).

Regarding claim 157, Robinson combined with Greco and Brown does not disclose the call processing rule specifies at least in part that a special ringing sound should be used for the call. However Kondo disclose a system wherein a call processing rule specifies at least in part that a special ringing sound should be used for a call (col. 1, lines 50-60). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Robinson combined with Greco and Brown to include a system wherein a call processing rule specifies at least in part that a special ringing sound should be used for a call as taught by Kondo. This modification allows a user to know whether or not a caller is important to him.

***Response to Amendment***

10. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Art Unit: 2645

**Conclusion**

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be

Art Unit: 2645

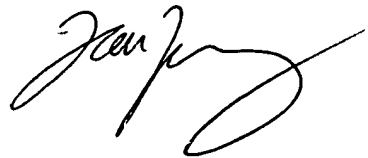
reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

C.A.

Olisa Anwah  
Patent Examiner  
October 9, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', with a long horizontal stroke extending to the right.